IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

Crl.MC.No. 4037 of 2006()

AGAINST THE JUDGEMENT/ORDER IN CR.MC.2256/2006 Dated 02/08/2006
CRIME NO.29/2005 OF KUMBLA KUMBLA EXCISE RANGE

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PETITIONER: ACCUSED:

PRINCE SAM THAMBI, S/O. THAMPI,
PALLIKKUNNEL HOUSE, NATTAKAM VILLAGE, KOTTAYAM DT.
NOW AT MANAMEL, NILAMBERUR, KUTTANAD,ALAPPUZHA DT.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS: COMPLAINANT:

THE SUB INSPECTOR OF POLICE,
KUMBLA EXCISE RANGE, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.A.AKBAR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.NO.4037 OF 2006

Dated this the 19th day of December, 2006.

ORDER

The petitioner faces allegations under Section 55 (a) of the Kerala Abkari Act. He was taken into custody on 15.09.2005 and was enlarged on bail as per order dated 16.11.2005. Bail was granted subject to conditions. The petitioner was directed to appear before the Investigating Officer between 3 p.m and 5 p.m on all Mondays and Thursdays till filing of the final report. The said conditions were modified as per order dt.02.08.2006. The petitioner is now directed to appear before the Investigating Officer on alternate Mondays between 3 p.m and 5 p.m till the final report is filed. Even now the final report has not been filed. The petitioner prays that the said condition may now be deleted.

2. The learned Public Prosecutor prays that some further time is required to complete the investigation and in these circumstances, the condition may not be deleted now.

3. I am satisfied, in the facts and circumstances, that it is not necessary to direct continuation of the condition any longer. However it is directed that the petitioner shall appear before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

4. This Crl.M.C is, allowed in part, to the above extent.

R.BASANT
JUDGE

rtr/